

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



Antony Wong, *Treasurer*
Emma Smith, *Secretary*
Brian Pape, *Assistant Secretary*
Mark Diller, *District Manager*

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.manhattancb2.org

P: 212-979-2272 F: 212-254-5102 E: info@manhattancb2.org

Greenwich Village ♦ Little Italy ♦ SoHo ♦ NoHo ♦ Hudson Square ♦ Chinatown ♦ Gansevoort Market

March 25, 2025

Director
Licensing Issuance Division
NY State Liquor Authority 163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on March 20, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

Boni Restaurant LLC dba Boni & Mott 238 Mott St Store 4 & 5 10012 (OP–Restaurant) (Class Change)

- i. Whereas**, the Applicant/Licensee and the Applicant/Licensee’s attorney appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for a class change of their Restaurant Wine License (Lic ID # 0240-24-137499, SN # 6046358) to an On-Premises Restaurant Liquor License to continue to operate a full-service, family-oriented Mediterranean restaurant located on the ground floor of a C6-2 zoned, six (6)-story tenement-style residential building (c. 1900) on Mott Street between Prince and Spring Streets (Block #493 / Lot #13), the building falling within the designated Special Little Italy District; and; and
- ii. Whereas**, the storefront premises is roughly 1,400 sq. ft. with approximately 700 sq. ft. on the ground floor and 700 sq. ft. in the basement, the basement being accessed by both an interior stairway and exterior sidewalk hatch, there is no patron use of the basement; there will be 9 tables with 33 seats and one (1) bar with three (3) seats for a total patron occupancy of 36 seats; there is one (1) entryway serving as both patron ingress and egress and one (1) bathroom; and
- iii. Whereas**, the hours of operation will remain 10 AM to 12 AM Sundays, 11 AM to 12 AM Mondays through Wednesdays and 11 AM to 1 AM Thursdays through Saturdays; music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, no live music, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- iv. Whereas**, the Applicant/Licensee originally appeared before CB2, Man. for their Restaurant Wine application in [September/2023](#) at which time they signed and executed a stipulation

agreement with CB2, Man. and the full board of CB2, Manhattan voted to recommend approval of the Restaurant Wine license, the Restaurant Wine license not subject to the public interest standard of the 500 Foot Rule; the premises had previously been operating as three separate dry retail shops without any service of alcohol, the Applicant/Licensee combining the three stores into one restaurant and installing operable French doors across the street frontage; and

- v. **Whereas**, the Applicant/Licensee received their temporary license in late Spring /Summer 2024 and their Restaurant Wine License in November/2024; and
- vi. **Whereas**, the Applicant/Licensee originally appeared before CB2, Man. in January/2025 for the instant application, just prior to and unrelated to CB2's SLA Licensing Committee meeting that month, CB2, Man. received a letter from the managing agent of the residences at Prince Street Condominium located directly across the street from the licensed premises stating that residents in the building have repeatedly made noise complaints related to the establishment through both 311 and 911, those complaints stating that the premises had been operating as a lounge and not as a restaurant with noise emanating from the restaurant both during the daytime and evening hours having negative quality of life impacts on residents that are working from home during the day and those that are trying to sleep at night; the Applicant agreeing to lay the application over in an effort to do outreach to the condominium building; and
- vii. **Whereas**, the Applicant/Licensee was unable to connect with any of the residents of the building itself but had reached out to both the management company (Time Equities) of Prince Street Condominium and then a Director of Residential Asset Management and Operations at Time Equities through his (the Applicant's) landlord, who received a response from the Director of Residential Asset Management and Operations at Time Equities stating in part that "it is most, if not all, of the resident owners of the 34 Prince Street Condo who have complained about this tenant playing unreasonably loud music repeatedly and refusing any requests to moderate this nuisance. Please note that the residents of 34 Prince all love your other tenant Emporio, and it is not that they oppose having restaurants or liquor licensed nearby in general;" additionally, it was noted by CB2, Man. that there had been 311 complaints filed regarding loud noise and parties in the summer and fall of 2024 for this location after the Applicant/Licensee received their temporary liquor license; in addition, a number of years ago the Applicant/Licensee was also a manager at Tava Café dba Balzem (SN#1276835) that also had an open façade and for which CB2 had received similar complaints about loud music and patron noise; and
- viii. **Whereas**, though not part of the instant application, CB2, Man. was aware that the Applicant/Licensee had applied to the Dining Out NYC program to add roadbed seating to the premises which the Applicant/Licensee confirmed stating he had not yet received final approval but intended to return to expand the licensed premises once he had DOT approval; this further raising concerns regarding negative quality of life impacts for the surrounding residents, the large open façade already seemingly creating a disturbance at all hours for the residents would be exacerbated by the addition of roadbed dining directly across from the wide open façade; and
- ix. **Whereas**, CB2, Man. also had concerns that the Applicant was returning so soon after receiving their Restaurant Wine license to upgrade their license to a full liquor license; contrary to some applications CB2 hears, the applicants did not state that they were applying

for a Restaurant Wine license in order to get their temporary license sooner than would happen with an On-Premises license due to back log at the NYSLA as other applicants have stated, but presented the application initially as being the license they sought to accommodate their method of operation which was that of a family-friendly, full-service restaurant; and in less than a year from receiving their temporary license the Applicant/Licensee is returning to upgrade the liquor license because the Applicant stated the business needed it to be successful; and

- x. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by the granting of the on-premises liquor license at this location, there being **79 active licensed premises** within 750 ft. and 7 pending licenses according to LAMP, the Applicant/Licensee having been in operation for less than a year with there being significant concerns raised during that time regarding the method of operation and the negative quality of life impacts to residents immediately affected by their operations; CB2, Man. instead wanting to see if the Applicant/Licensee, after being made aware of these issues, can operate during the warmer months with an open façade, abiding by the signed and executed stipulation agreement made with CB2, Man. and incorporated into their Restaurant Wine license and mitigate the negative impacts residents have already experienced; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends denial of the application for an On-Premises Liquor License for **Boni Restaurant LLC dba Boni & Mott 238 Mott St Store 4 & 5 10012**; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the NYSLA, CB2, Manhattan respectfully requests that this item be calendared to appear before the Full Board of the NYSLA.

Vote: Unanimous, 41 Board Members in favor.

We respectfully request that your agency take action consistent with the positions expressed in the above.

Sincerely,



Donna Raftery, Chair
SLA Licensing 1 and 2 Committees
Community Board #2, Manhattan



Susan Kent, Chair
Community Board #2, Manhattan

SK/em

cc: Hon. Daniel Goldman, Congressman
Hon. Brad Hoylman-Sigal, NY State Senator
Hon. Brian Kavanagh, NY State Senator

Hon. Deborah J. Glick, NY State Assembly
Hon. Grace Lee, State Assembly Member
Hon. Brad Lander, NYC Comptroller
Hon. Michael Levine, Man. Borough President
Hon. Erik Bottcher, NYC Council Speaker
Hon. Christopher Marte, NYC Council Member
Hon. Carlina Rivera, NYC Council Member
Thomas Donohue, Deputy Commissioner of Licensing, NY State Liquor Authority